

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NEW YORK CIVIL LIBERTIES UNION,

Plaintiff,

v.

ADMINISTRATION FOR CHILDREN AND  
FAMILIES, OFFICE OF REFUGEE  
RESETTLEMENT, and U.S. DEPARTMENT  
OF HEALTH AND HUMAN SERVICES,

Defendants.

USDC SDNY  
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ELECTRONICALLY FILED  
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DATE FILED: 5/5/2020

20 Civ. 183 (MKV)

**ORDER**

MARY KAY VYSKOCIL, United States District Judge:

Pursuant to the Court's Scheduling Order dated April 15, 2020 (ECF No. 25), the parties to this Freedom of Information Act ("FOIA") action appeared before the Court telephonically for an initial conference on April 29, 2020. Having heard from the parties at that conference and reviewed their pre-conference submissions, *see* ECF No. 24, the Court hereby **ORDERS** that:

1. Defendants shall process records potentially responsive to the FOIA request at issue in this litigation, *see* ECF No. 8-2, at a rate of no less than 400 pages per month;
2. Beginning on May 15, 2020, and on a rolling basis every 30 days thereafter, Defendants shall release to Plaintiff all processed, responsive records;
3. Concurrent with each production required by this Order, Defendants shall advise Plaintiff via email of the total number of pages processed;
4. To the extent Defendants assert any privilege, exemption, or exclusion as to any responsive record or portion thereof, Defendants shall, concurrent with each production required by this Order:

- a. Release a redacted version of the record, redacting only those portions as to which privilege, exemption, or exclusion is asserted; and
  - b. As to each redaction, identify any privileges, exemption, or exclusion asserted;
5. Any dispute between the parties with respect to the processing or production of records under this Order shall be governed by Rule 3.D. of the Court's Individual Rules of Practice in Civil Cases concerning discovery disputes;
  6. This Order replaces the Order dated April 30, 2020, at ECF No. 27.

**SO ORDERED.**

Date: May 5, 2020  
New York, New York

Mary Kay Vyskocil  
MARY KAY VYSKOCIL  
United States District Judge